

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 24, 2015

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JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 24, 2015

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Pastor Don Ridder of the Grace Fellowship Christian Reformed Church in Pella, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Lauren Rowley.

The Journal of Monday, March 23, 2015, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Mary Cownie, the governor's appointee to be Director of the Department of Cultural Affairs. She was the guest of Senators Mathis and Schneider and the committee on Economic Growth.

The Secretary of the Senate introduced Debi Durham, the governor's appointee to be Director of the Economic Development Authority. She was the guest of Senators Bisignano and Hart and the committee on Economic Growth.

HERBERT HOOVER UNCOMMON PUBLIC SERVICE AWARD

Senator Johnson introduced to the Senate chamber members from the Hoover Presidential Library Association, members of the Hoover Association of Trustees, William Bywater and Kenneth Fawcett; the Hoover Association Executive Director, Jerry Fleagle; and the Hoover Association Communications Director, Brad Reiners.

The Senate rose and expressed its welcome.

President Jochum announced the 2015 Herbert Hoover Uncommon Public Service Award Recipient, Senator Wally Horn.

Senator Horn addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:19 a.m. until 2:15 p.m.

APPENDIX—1

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Diane Ladwig, Sioux City—For celebrating her 40 years of teaching at Bishop Heelan Catholic Schools. Senator Anderson.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, March 24, 2015, 10:25 a.m.

Members Present: Petersen, Chair; McCoy, Vice Chair; Anderson, Ranking Member; Allen, Bolkcom, Courtney, Mathis, Schneider, Seng, Sinclair, Smith, and Sodders.

Members Absent: Bertrand, Schoenjahn, and Zumbach (all excused).

Committee Business: Governor's appointees.

Adjourned: 10:30 a.m.

HUMAN RESOURCES

Convened: Tuesday, March 24, 2015, 11:05 a.m.

Members Present: Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Chelgren, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

Members Absent: None.

Committee Business: Governor's appointees.

Adjourned: 11:25 a.m.

TRANSPORTATION

Convened: Tuesday, March 24, 2015, 11:00 a.m.

Members Present: Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, Quirnbach, and Smith.

Members Absent: McCoy (excused).

Committee Business: Passed [HF 287](#). Governor's appointees.

Adjourned: 11:10 a.m.

SUBCOMMITTEE ASSIGNMENTS[House File 283](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Sinclair

[House File 284](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Sinclair

[House File 346](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Johnson

[House File 397](#)

(Reassigned)

LABOR AND BUSINESS RELATIONS: Bisignano, Chair; Brase and Shipley

[House File 503](#)

AGRICULTURE: Brase, Chair; Kapucian and Kinney

FINAL COMMITTEE REPORT OF BILL ACTION

TRANSPORTATION

Bill Title: [HOUSE FILE 287](#), a bill for an act relating to counterfeit, nonfunctional, or unsafe air bags, providing penalties, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, Quirnbach, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 2:19 p.m., President Jochum presiding.

The Senate stood at ease at 2:20 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:41 p.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 2015, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 198](#), a bill for an act relating to the regulation of certified public accountants and certified public accounting firms.

ALSO: That the House has on March 24, 2015, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 227](#), a bill for an act relating to the school start date and eliminating waiver and penalty provisions. ([S-3068](#))

ALSO: That the House has on March 24, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 172](#), a bill for an act relating to corporations' powers and duties, document filings, meetings, mergers, voting procedures, and the functions of directors and officers.

Read first time and referred to committee on **Judiciary**.

[House File 203](#), a bill for an act providing for the licensing of respiratory care and polysomnography practitioners and polysomnographic technologists and exceptions thereto, making penalties applicable, and including effective date provisions.

Read first time and attached to **similar** [Senate File 337](#).

[House File 227](#), a bill for an act relating to strip searches of persons at a jail or municipal holding facility.

Read first time and referred to committee on **Judiciary**.

[House File 394](#), a bill for an act providing for the regulation of transportation network companies.

Read first time and referred to committee on **Transportation**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schoenjahn, for the day, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 232, 397, 415, and 456.

[Senate File 232](#)

On motion of Senator Dotzler, [Senate File 232](#), a bill for an act relating to the regulation of tanning facilities and making penalties applicable, was taken up for consideration.

Senator Dotzler offered amendment [S-3064](#), filed by him on March 23, 2015, to page 1 of the bill.

Senator Chelgren offered amendment [S-3069](#), filed by Senators Chelgren and Zaun from the floor to page 1 of amendment [S-3064](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3069](#) to amendment [S-3064](#) be adopted?” ([S.F. 232](#)), the vote was:

Yeas, 18:

Behn	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schultz	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Kapucian	Shipley	
Costello	Kraayenbrink	Sinclair	

Nays, 31:

Allen	Danielson	Horn	Ragan
Anderson	Dearden	Jochum	Schneider
Bertrand	Dix	Johnson	Seng
Bisignano	Dotzler	Kinney	Sodders
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	McCoy	Whitver
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	

Absent, 1:

Schoenjahn

Amendment [S-3069](#) to amendment [S-3064](#) lost.

Senator Dotzler moved the adoption of amendment [S-3064](#).

A record roll call was requested.

On the question "Shall amendment [S-3064](#) be adopted?" ([S.F. 232](#)), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Ragan
Bisignano	Dotzler	Johnson	Schneider
Bolkcom	Dvorsky	Kinney	Segebart
Bowman	Gronstal	Mathis	Seng
Brase	Hart	McCoy	Sodders
Courtney	Hogg	Petersen	Wilhelm
Danielson	Horn	Quirnbach	

Nays, 22:

Anderson	Costello	Kraayenbrink	Taylor
Behn	Dix	Rozenboom	Whitver
Bertrand	Feenstra	Schultz	Zaun
Breitbach	Garrett	Shiple	Zumbach
Chapman	Guth	Sinclair	
Chelgren	Kapucian	Smith	

Absent, 1:

Schoenjahn

Amendment [S-3064](#) was adopted.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 232](#)), the vote was:

Yeas, 26:

Allen	Dotzler	Johnson	Schneider
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Gronstal	Kraayenbrink	Seng
Bowman	Hart	Mathis	Sodders
Brase	Hogg	Petersen	Wilhelm
Courtney	Horn	Quirnbach	
Dearden	Jochum	Ragan	

Nays, 23:

Anderson	Costello	Kapucian	Smith
Behn	Danielson	McCoy	Taylor
Bertrand	Dix	Rozenboom	Whitver
Breitbach	Feenstra	Schultz	Zaun

Chapman	Garrett	Shipley	Zumbach
Chelgren	Guth	Sinclair	

Absent, 1:

Schoenjahn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 397](#)

On motion of Senator Danielson, [Senate File 397](#), a bill for an act relating to matters under the purview of the department of transportation, providing fees, and including effective date provisions, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 397](#)), the vote was:

Yeas, 49:

Allen	Danielson	Johnson	Seng
Anderson	Dearden	Kapucian	Shipley
Behn	Dix	Kinney	Sinclair
Bertrand	Dotzler	Kraayenbrink	Smith
Bisignano	Dvorsky	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Garrett	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hogg	Schneider	
Costello	Horn	Schultz	
Courtney	Jochum	Segebart	

Nays, none.

Absent, 1:

Schoenjahn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 415](#)

On motion of Senator Courtney, [Senate File 415](#), a bill for an act related to elections administration and election officials, was taken up for consideration.

Senator Courtney offered amendment [S-3065](#), filed by him on March 23, 2015, to page 1 of the bill, and moved its adoption.

Amendment [S-3065](#) was adopted by a voice vote.

Senator Chelgren offered amendment [S-3067](#), filed by Senator Chelgren, et al., from the floor to pages 1 and 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3067](#) be adopted?” ([S.F. 415](#)), the vote was:

Yeas, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Dix	Rozenboom	Smith
Bertrand	Feenstra	Schneider	Whitver
Breitbach	Garrett	Schultz	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Kapucian	Shipley	

Nays, 26:

Allen	Dearden	Jochum	Ragan
Bisignano	Dotzler	Johnson	Seng
Bolkcom	Dvorsky	Kinney	Sodders
Bowman	Gronstal	Mathis	Taylor
Brase	Hart	McCoy	Wilhelm
Courtney	Hogg	Petersen	
Danielson	Horn	Quirnbach	

Absent, 1:

Schoenjahn

Amendment [S-3067](#) lost.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 415](#)), the vote was:

Yeas, 40:

Allen	Danielson	Hogg	Ragan
Anderson	Dearden	Horn	Segebart
Bertrand	Dix	Jochum	Seng
Bisignano	Dotzler	Kapucian	Shipley
Bolkcom	Dvorsky	Kinney	Smith
Bowman	Feenstra	Kraayenbrink	Sodders
Brase	Garrett	Mathis	Taylor
Breitbach	Gronstal	McCoy	Whitver
Chelgren	Guth	Petersen	Wilhelm
Courtney	Hart	Quirnbach	Zumbach

Nays, 9:

Behn	Johnson	Schultz
Chapman	Rozenboom	Sinclair
Costello	Schneider	Zaun

Absent, 1:

Schoenjahn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 456](#)

On motion of Senator Danielson, [Senate File 456](#), a bill for an act concerning the sale and off-premises transportation and consumption of certain containers of beer, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 456](#)), the vote was:

Yeas, 40:

Allen	Danielson	Horn	Schultz
Anderson	Dearden	Jochum	Segebart
Behn	Dix	Kapucian	Seng

Bertrand	Dotzler	Kinney	Shipley
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Brase	Feenstra	Mathis	Smith
Breitbach	Garrett	McCoy	Whitver
Chapman	Gronstal	Ragan	Wilhelm
Chelgren	Guth	Rozenboom	Zaun
Courtney	Hart	Schneider	Zumbach

Nays, 9:

Bisignano	Hogg	Quirnbach
Bowman	Johnson	Sodders
Costello	Petersen	Taylor

Absent, 1:

Schoenjahn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he returns, on request of Senator Dix.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Beth Townsend as Director of Workforce Development, placed on the Individual Confirmation Calendar on March 18, 2015, found on page 651 of the Senate Journal.

Senator Dotzler moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Allen	Courtney	Horn	Schneider
Anderson	Danielson	Jochum	Schultz
Behn	Dearden	Johnson	Segebart
Bertrand	Dix	Kapucian	Seng
Bisignano	Dotzler	Kinney	Shipley

Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Bowman	Feenstra	Mathis	Smith
Brase	Garrett	McCoy	Sodders
Breitbach	Gronstal	Petersen	Taylor
Chapman	Guth	Quirnbach	Whitver
Chelgren	Hart	Ragan	Wilhelm
Costello	Hogg	Rozenboom	Zaun

Nays, none.

Absent, 2:

Schoenjahn Zumbach

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 232, 397, 415, and 456** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 2015, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 392](#), a bill for an act relating to hunter education license requirements, providing for a hunting license with an apprentice hunter designation, and including penalty provisions.

ALSO: That the House has on March 24, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 507](#), a bill for an act relating to certain delinquent accounts for wastewater, sewer system, storm water drainage, and sewage treatment services.

Read first time and referred to committee on **Local Government**.

[House File 552](#), a bill for an act relating to continuation of or reenrollment in group health insurance by certain children of insureds or enrollees and including applicability and effective date provisions.

Read first time and referred to committee on **Commerce**.

[House File 569](#), a bill for an act relating to notice of garnishment and levy to a judgment debtor.

Read first time and referred to committee on **Judiciary**.

[House File 595](#), a bill for an act creating the manufactured housing program fund.

Read first time and referred to committee on **Economic Growth**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:53 p.m. until 9:00 a.m., Wednesday, March 25, 2015.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, March 24, 2015, 1:05 p.m.

Members Present: Soddors, Chair; Hogg, Vice Chair; Schneider, Ranking Member; Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, and Zaun.

Members Absent: Whitver (excused).

Committee Business: Passed [HF 496](#). Governor's appointees.

Adjourned: 1:10 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 24, 2015, 2:00 p.m.

Members Present: Jochum, Vice Chair; Dix, Ranking Member; Chapman, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver.

Members Absent: Gronstal, Chair; and Courtney (both excused).

Committee Business: Passed SRs 17 and 19.

Adjourned: 2:05 p.m.

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: [HOUSE FILE 496](#), a bill for an act establishing certain privileges claimed for or by military victim advocates.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, and Zaun. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 17](#), a resolution congratulating Mikaela Foecke for her success on and off the volleyball court.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Jochum, Dix, Chapman, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, 2: Gronstal and Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 19](#), a resolution reaffirming Iowa's commitment to its relationship with Taiwan and supporting Taiwan's efforts to participate in the international community.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Jochum, Dix, Chapman, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, 2: Gronstal and Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

COMMERCE

Mark Schuling – Consumer Advocate

JoAnn Johnson – Superintendent of Credit Unions

Dave Cale – Credit Union Review Board

Lorraine Groves – Credit Union Review Board

Timothy Marcsisak – Credit Union Review Board

Becky Zemlicka – Credit Union Review Board

Judy Hilgenberg – Title Guaranty Division Board

Geri Huser – Chair of the Utilities Board

Geri Huser – Utilities Board

HUMAN RESOURCES

Wade Leuwerke – Board of Behavioral Science

Stephanie Lyons – Board of Sign Language Interpreters and Translitterators

JUDICIARY

Robert Hosford – Iowa State Civil Rights Commission

Patricia Lipski – Iowa State Civil Rights Commission

Angela Williams – Iowa State Civil Rights Commission

John Chalstrom – Board of Corrections

Michael Coleman – Board of Corrections

Lisa Hill – Board of Corrections

Lawrence Kudej – Board of Corrections

Warren Hunsberger Jr. – Iowa Drug Policy Advisory Council

Jane Larkin – Iowa Drug Policy Advisory Council

Nancy Bodnar – Iowa Law Enforcement Academy Council

Timothy Carmody – Iowa Law Enforcement Academy Council

David Lorenzen – Iowa Law Enforcement Academy Council

GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

TRANSPORTATION

Dr. Roxann Ryan – Commissioner of Public Safety

GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar without recommendation for confirmation:

HUMAN RESOURCES

Charles Palmer – Director of the Department of Human Services

REFERRALS TO INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

Mary Cownie – Director of the Department of Cultural Affairs

LIZ MATHIS

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

Dave Jamison – Executive Director of the Iowa Finance Authority

MARY JO WILHELM

AMENDMENTS FILED

S-3067

S.F. 415

Mark Chelgren
Jason Schultz
Jack Whitver
Brad Zaun
Rick Bertrand

S-3068

S.F. 227

Bill Anderson
Tim L. Kapucian
House

S-3069

S.F. 232

Mark Chelgren
Brad Zaun